

Application Number 	Application/Control No. 10/693,941	Applicant(s)/Patent under Reexamination SUGAI ET AL.
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Date Filed : September 6, 2006	This patent is subject to a Terminal Disclaimer	

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
ASA-852-02

In re Application of: K. SUGAI et al.

Application No.: 10/693,941

Filed: October 28, 2003

For: NETWORK RELAYING APPARATUS AND NETWORK RELAYING METHOD CAPABLE OF HIGH-SPEED ROUTING AND PACKET TRANSFER

The owner, **HITACHI, LTD.**, of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. **6,650,842** as the term of said prior patent is defined in 35 USC 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are **commonly owned**. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

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- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is issued; or
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2. The undersigned is an attorney or agent of record. John R. Mattingly Reg. No. 30,293

Signature

September 6, 2006
Date

John R. Mattingly

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